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11/17/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gary L. Nelsestuen  
Serial No. : 09/302,239  
Filed : April 29, 1999  
Title : MODIFIED VITAMIN K-DEPENDENT POLYPEPTIDES

Art Unit : 1653  
Examiner : F. Moezie

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES

This is responsive to the communication of September 1, 2000. Applicant thanks the Examiner for the courtesy of the telephone conference with the undersigned agent on October 17, 2000. The substance of the conversation is reflected in the remarks set out below.

The Examiner asserted in the communication that "Applicant has failed to comply with 37 C.F.R. § 1.821(d). SEQ ID NOS would have to be entered in each drawing and each claim (followed by the modification if necessary)."

Sequence identifiers are present throughout the specification and are not necessary in the drawings or in the claims. In particular, the specification contains a sequence identifier for the wild-type Factor VII and Factor IX amino acid sequences. See, page 12, lines 15-16, and page 14, lines 4-5. The specification also describes how the amino acid positions of the polypeptides are numbered. See, the specification at page 9, lines 14-19<sup>7K</sup>, which indicates that amino acid positions are numbered according to Factor IX, and that Factor VII has one less amino acid (position 4) and must be adjusted accordingly. Thus, when a claim recites a particular position such as amino acid 11 for Factor VII, it is actually position 10 of Factor VII in the sequence listing. When a claim refers to Factor IX, no adjustment is necessary. As the claims recite

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 18, 2000

Date of Deposit

*Ann Pommier*

Signature

Ann Pommier

Typed or Printed Name of Person Signing Certificate

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Attorney's Deposit No.: 09531-005001 / 97141

particular positions within Factor VII or Factor IX that contain substitutions, the sequence identifiers in the application can be used for searches.

Enclosed herewith is a Petition for a One-Month Extension of Time with the required fee.  
Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 10 / 18 / 00

  
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**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 2 May 15, 1990 and at 55 FR 18230, May 1, 1990.
  - ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
  - ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
  - ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
  - ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
  - ☒ 7. *Applicant has failed to comply with 37 CFR 1.821(d). SEQ ID NOS would have to be entered in each drawing and each claim (followed by the modification - if necessary).*
- Other: \_\_\_\_\_

**Applicant must provide:**

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact

For Rules Interpretation, call (703) 308-1123  
For CRF submission help, call (703) 308-4212  
For PatentIn software help, call (703) 557-0400

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